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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,329	12/14/2001	Robert C.U. Yu	D/A0A96Q	8628

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EXAMINER

HARAN, JOHN T

ART UNIT	PAPER NUMBER
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1733

DATE MAILED: 08/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/683,329

Applicant(s)

YU ET AL.

Examiner

John T. Haran

Art Unit

1733

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☒ Applicant's reply has overcome the following rejection(s): none - see attached sheet.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-23.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Response to Arguments

Applicant's arguments filed 7/29/04 have been fully considered but they are not persuasive.

Applicant's arguments are directed to whether or not Schlueter '301 provides adequate suggestion for using templates to control the shape of overlapping edges. It is first noted that Applicant appears to be basing the criticality of the patentability on a feature (using a template), which is described in the specification at a bare minimum.

Schlueter '193 is the primary reference and teaches laser ablating the ends of a belt to desired puzzle cut shapes for overlapping, interlocking, and mating the two ends to form a seamed belt that minimizes the thickness differential between the seamed portion of the belt. However, Schlueter '193 is silent towards using a template when shaping the ends of a belt with a laser, however such is well known and conventional as shown for example in Schlueter '301. Schlueter '301 teaches forming complementary puzzle cuts to ends of a sheet to be mated together with laser and teaches using a template to control the pattern (Column 3, lines 39-46 and Examples Table 1). While Schlueter '301 is silent towards whether or not the template prevents laser from striking the sheet under the template, one skilled in the art would have readily recognized using such a template in order to avoid removing material that is not supposed to be removed or damaging material. Furthermore, one skilled in the art would have readily appreciated that the templates used on each end of the belt are complementary in order to form complementary shapes.

Applicant argues that Schlueter '301 does not teach using a template for laser ablating complementary shapes that are to be overlapped and that Schlueter '301 teaches using a template in conjunction with laser ablating through the entire material. However, it is notoriously well known and conventional in a variety of arts that templates are used to control the shape of the edge and that one skilled in the art would have readily appreciated using different templates to obtain different shapes. In addition, it is noted that the amount or depth of the material removed is entirely independent of the template and is determined by the intensity and duration of the laser light in a given location. One skilled in the art would have readily appreciated using a template to control the edge shape of the material not ablated and to protect the material under the template from being removed in light of the teachings of Schlueter '301 regardless of the ultimate purpose for having laser ablated material away, including for creating edges that can be overlapped. Furthermore, the lack of description of the use of the templates in the present application is further evidence of this assertion that one of ordinary skill would have known how to use a template in laser ablating to obtain overlapping edges.

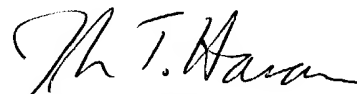
It would have been obvious to one of ordinary skill in the art at the time the invention was made to use first and second templates for defining the puzzle cut pattern to be laser ablated in the two ends of the sheet which prevent the laser from removing material under the template in order to overlap, interlock, and mate the puzzle cut ends of the belt in the method Schlueter '193 as is well known and conventional in the art as suggested in Schlueter '301.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John T. Haran** whose telephone number is **(571) 272-1217**. The examiner can normally be reached on M-Th (8 - 5) and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (571) 272-1156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


John T. Haran
Examiner
Art Unit 1733